

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Microsoft Corporation,

Plaintiff,

v.

Civ. No. 05-1935 (JNE/SRN)
ORDER

Ion Technologies Corporation, The World Online
Communications Corporation, and Paul Martin,

Defendants and
Counter-Plaintiffs,

v.

Microsoft Corporation, Reginald Hinton, Randy
Bradley, and Bradley, Andrew, Christopher & Kaye,

Counter-Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable Susan Richard Nelson, United States Magistrate Judge, on June 15, 2006. Ion Technologies Corporation, The World Online Communications Corporation, and Paul Martin objected to the Report and Recommendation, and Microsoft Corporation responded. The Court has conducted a de novo review of the record. Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Plaintiff's Motion to Strike the Jury Demand of Defendants [Docket No. 102] is DENIED.
2. Plaintiff's Motion to Dismiss the Abuse of Process Counterclaim (Count I) of Defendants [Docket No. 107] is GRANTED.
3. Counter-Defendants Randy Bradley and Bradley, Andrew, Christopher & Kaye's Motion to Dismiss the Conversion (Count II) and Civil Conspiracy (Count III) Counterclaims [Docket No. 111] is DENIED.

4. Count I of Defendants' Counterclaims [Docket No. 95] is DISMISSED.

Dated: July 25, 2006

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge